
HOUSE BILL 1523

State of Washington 60th Legislature 2007 Regular Session

By Representatives Chase, Morris, B. Sullivan, Linville and Kagi

Read first time 01/22/2007. Referred to Committee on Technology,
Energy & Communications.

1 AN ACT Relating to the voluntary green power program; reenacting
2 and amending RCW 19.29A.090; and providing an effective date.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 19.29A.090 and 2002 c 285 s 6 and 2002 c 191 s 1 are
5 each reenacted and amended to read as follows:

6 (1) Beginning January 1, 2002, each electric utility must provide
7 to its retail electricity customers a voluntary option to purchase
8 qualified alternative energy resources in accordance with this section.

9 (2) Each electric utility must include with its retail electric
10 customer's regular billing statements, at least quarterly, a voluntary
11 option to purchase qualified alternative energy resources. The option
12 may allow customers to purchase qualified alternative energy resources
13 at fixed or variable rates and for fixed or variable periods of time,
14 including but not limited to monthly, quarterly, or annual purchase
15 agreements. A utility may provide qualified alternative energy
16 resource options through either: (a) Resources it owns in the state of
17 Washington or resources the utility contracts for, provided that the
18 resources contracted for are generated within the state of Washington;
19 or (b) the purchase of credits issued by a clearinghouse or other

1 system by which the utility may secure, for trade or other
2 consideration, verifiable evidence that a second party has a qualified
3 alternative energy resource generated in the state of Washington and
4 that the second party agrees to transfer such evidence exclusively to
5 the benefit of the utility.

6 (3) For the purposes of this section, a "qualified alternative
7 energy resource" means the electricity produced from generation
8 facilities that are fueled by: (a) Wind; (b) solar energy; (c)
9 geothermal energy; (d) (~~landfill gas; (e)~~) wave or tidal action;
10 (~~(f) gas produced during the treatment of wastewater~~) (e) biogas
11 involved in wastewater treatment plants, manure digesters, or
12 landfills; (~~(g)~~) (f) qualified hydropower; or (~~(h)~~) (g) biomass
13 energy (based on animal waste or) generated from solid organic fuels
14 from wood, forest, or field residues, algae, or dedicated energy crops
15 that do not include wood pieces that have been treated with chemical
16 preservatives such as creosote, pentachlorophenol, or
17 copper-chrome-arsenic.

18 (4) For the purposes of this section, "qualified hydropower" means
19 the energy produced either: (a) As a result of modernizations or
20 upgrades made after June 1, 1998, to hydropower facilities operating on
21 May 8, 2001, that have been demonstrated to reduce the mortality of
22 anadromous fish; or (b) by run of the river or run of the canal
23 hydropower facilities that are not responsible for obstructing the
24 passage of anadromous fish.

25 (5) The rates, terms, conditions, and customer notification of each
26 utility's option or options offered in accordance with this section
27 must be approved by the governing body of the consumer-owned utility or
28 by the commission for investor-owned utilities. All costs and benefits
29 associated with any option offered by an electric utility under this
30 section must be allocated to the customers who voluntarily choose that
31 option and may not be shifted to any customers who have not chosen such
32 option. Utilities may pursue known, lawful aggregated purchasing of
33 qualified alternative energy resources with other utilities to the
34 extent aggregated purchasing can reduce the unit cost of qualified
35 alternative energy resources, and are encouraged to investigate
36 opportunities to aggregate the purchase of alternative energy resources
37 by their customers. Aggregated purchases by investor-owned utilities

1 must comply with any applicable rules or policies adopted by the
2 commission related to least-cost planning or the acquisition of
3 renewable resources.

4 (6) Each consumer-owned utility must report annually to the
5 department and each investor-owned utility must report annually to the
6 commission beginning October 1, 2002, until October 1, 2012, describing
7 the option or options it is offering its customers under the
8 requirements of this section, the rate of customer participation, the
9 amount of qualified alternative energy resources purchased by
10 customers, the amount of utility investments in qualified alternative
11 energy resources, and the results of pursuing aggregated purchasing
12 opportunities. The department and the commission together shall report
13 annually to the legislature, beginning December 1, 2002, until December
14 1, 2012, with the results of the utility reports.

15 NEW SECTION. **Sec. 2.** This act takes effect January 1, 2008.

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